

Message Text

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ACTION IO-14

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P 291343Z SEP 73

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 3627

UNCLAS SECTION 1 OF 2 PARIS 25603

NESCO

E.O. 11652 N/A

TAGS: AORG, OCON, UNESCO

SUBJECT: 93RD EXBD

REF: POSITION PAPER 93 US EX/4.3.2 DTD SEPT 10, 1973

RE REQUEST FOR INFORMATION ON DOCUMENT FOR WORKING GROUP

(93 EX10), FOLLOWING RESOLUTION TO BE VOTED UPON MONDAY:

QUOTE ITEM 4.3.2 - DRAFT DECISION

THE EXECUTIVE BOARD,

1. HAVING TAKEN NOTE WITH SATISFACTION OF THE REPORT OF THE SECOND SESSION OF THE FOUNDING COMMITTEE OF THE UNITED NATIONS UNIVERSITY, APPOINTED IN ACCORDANCE WITH THE UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 2951 (XXVII), AND OF THE DRAFT CHARTER OF THE UNITED NATIONS UNIVERSITY PROPOSED BY IT.

2. CONSCIOUS OF THE PARTICULAR RESPONSIBILITIES WHICH DEVOLVE UPON UNESCO, IN LIAISON WITH THE OTHER COMPETENT SPECIALIZED ORGANIZATIONS, IN THE DEVELOPMENT AND IMPLEMENTATION OF THIS PROJECT AS STATED IN RESOLUTION 1.323 ADOPTED BY THE GENERAL CONFERENCE AT ITS SEVENTEENTH SESSION,

3. EXPRESSES ITS APPRECIATION OF THE ASSISTANCE GIVEN BY
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THE DIRECTOR GENERAL, ON BEHALF OF UNESCO, IN CARRYING OUT THE PROVISIONS OF THE ABOVE-MENTIONED GENERAL ASSEMBLY RESOLUTION FOR THE ESTABLISHMENT OF THE UNIVERSITY.

4. REAFFIRMS ITS DESIRE THAT UNESCO SHARE IN THE ESTABLISHMENT AND SUBSEQUENT OPERATION OF THE UNIVERSITY, WITHIN THE FRAMEWORK OF THE UNITED NATIONS SYSTEM.

(X) EXPRESSES ITS AGREEMENT WITH THE BROAD OUTLINES OF THE DRAFT CHARTER PREPARED BY THE FOUNDING COMMITTEE, SUBJECT TO THE OBSERVATIONS CONTAINED IN THE ANNEX TO THIS RESOLUTION, THE OBJECT OF WHICH IS TO CLARIFY CERTAIN IDEAS IN CONFORMITY WITH THE PROVISIONS OF GENERAL ASSEMBLY RESOLUTION 2951 (XXVII), WHICH WOULD HELP TO SECURE THE SUPPORT OF THE INTERNATIONAL ACADEMIC COMMUNITY FOR THE IDEA OF A UNITED NATIONS UNIVERSITY,

(X) CHANGE TO BE REQUESTED BEFORE ADOPTION

6. RECALLS THAT THE OBSERVATIONS MENTIONED IN PARAGRAPH 5 OF THIS RESOLUTION AND LISTED IN THE ANNEX REFLECT PRINCIPLES ALREADY SET FORTH IN THE PREVIOUS RESOLUTIONS OF THE UNITED NATIONS GENERAL ASSEMBLY OF THE GENERAL CONFERENCE OF UNESCO, AND IN SEVERAL DECISIONS OF THE EXECUTIVE BOARD ITSELF; THEY ARE INTENDED, IN PARTICULAR: (A) TO REAFFIRM WITH ALL NECESSARY PRECISION THE OBJECTIVES OF THE ACTIVITY OF THE UNITED NATIONS UNIVERSITY AND TO DEFINE THE AREAS IN WHICH ITS RESEARCH AND TRAINING WORK WILL BE CARRIED OUT, IN CONFORMITY, IN PARTICULAR, WITH PARAGRAPH 2(F) OF GENERAL ASSEMBLY RESOLUTION 2951 (XXVII);

(B) TO ENSURE THE AUTONOMY AND ACADEMIC FREEDOM OF THE UNIVERSITY, WITHOUT WHICH FRUITFUL RESEARCH AND TRAINING WORK CANNOT BE SUCCESSFULLY CARRIED ON TO ENSURE ACADEMIC FREEDOM, NOT ONLY FOR THE UNIVERSITY AS AN INSTITUTION, BUT ALSO FOR ALL THOSE WHO WILL BE CALLED UPON, WITHIN THE FRAMEWORK OF THE UNIVERSITY, TO CARRY ON RESEARCH AND TRAINING ACTIVITIES;

(C) TO ENSURE THAT THE UNIVERSITY AND ALL THOSE WHO WILL BE CALLED UPON TO WORK IN IT ACT IN CONFORMITY WITH THE FUNDAMENTAL PRINCIPLES OF THE UNITED NATIONS CHARTER AND THE CONSTITUTION OF UNESCO;

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(D) TO ASSIST IN SECURING CLOSE INTEGRATION OF THE UNIVERSITY IN THE WORLD ACADEMIC COMMUNITY AND THE BROADEST POSSIBLE PARTICIPATION

OF SCHOLARS AND RESEARCH WORKERS FROM ALL REGIONS AND ALL MEMBER STATES, WHATEVER THE DEGREE OF DEVELOPMENT, GEOGRAPHICAL LINKAGE, SOCIAL SYSTEM OR CULTURAL TRADITION OF THOSE STATES;

(E) TO ENSURE THAT THE UNIVERSITY, WHILE SERVING ALL MANKIND AND REMAINING TRUE TO ITS WORLD VOCATION, GIVES VERY SPECIAL ATTENTION TO THE PROBLEMS AND CONCERNS OF THE DEVELOPING COUNTRIES AND HELPS TO STRENGTHEN THE SCIENTIFIC POTENTIAL OF THE LATTER;

(F) TO ENSURE THAT UNESCO, WITHOUT ENCROACHING ON THE UNIVERSITY'S AUTONOMY, HAS EVERY OPPORTUNITY TO EXERCISE ITS OWN SPECIAL

RESPONSIBILITY IN THE CARRYING OUT OF THIS PROJECT.

7. EXPRESSES THE HOPE THAT, FROM THE OUTSET, THE UNITED NATIONS UNIVERSITY WILL BE STRONGLY SUPPORTED BY THE GOVERNMENTS OF DEVELOPED AND DEVELOPING COUNTRIES, SO THAT IT MAY OBTAIN THE NECESSARY RESOURCES, WHETHER FOR THE SETTING UP OF RESEARCH AND TRAINING CENTERS OR IN THE FORM OF FINANCIAL CONTRIBUTIONS, AND THAT THE UNIVERSITY MAY ALSO RECEIVE THE COOPERATION OF A WIDE VARIETY OF BODIES, BOTH GOVERNMENTAL AND PRIVATE, BELONGING TO THE INTERNATIONAL ACADEMIC COMMUNITY, AND IN THIS CONNECTION RECALLS THE PRINCIPLES SET OUT IN PARAGRAPH 12 OF DECISION 4.21.1 ADOPTED AT ITS 89TH SESSION,

8. RECOMMENDS, IN ACCORDANCE WITH PARAGRAPH 6 OF THE REPORT OF THE SECOND SESSION OF THE FOUNDING COMMITTEE THAT -IF THE GENERAL ASSEMBLY SHOULD DECIDE TO APPROVE THE CHARTER OF THE UNIVERSITY - THE SECRETARY GENERAL OF THE UNITED NATIONS BE INVITED BY THE GENERAL ASSEMBLY TO TAKE ALL NECESSARY MEASURES IN AGREEMENT WITH THE DIRECTOR GENERAL OF UNESCO, FOR BRINGING THE CHARTER INTO EFFECT, BEARING IN MIND, INTER ALIA, THE FOLLOWING CONSIDERATIONS: IT WOULD SEEM DESIRABLE:

(A) THAT THE TRANSITION PERIOD WHICH WILL ELAPSE BETWEEN THE ADOPTION OF THE CHARTER BY THE UNITED NATIONS AND THE APPOINTMENT OF THE FIRST RECTOR, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER ADOPTED., BE AS SHORT AS POSSIBLE;
(B) THAT THE EXPENSES INCURRED DURING THIS PREPARATORY PERIOD BE COVERED BY THE CAPITAL SUMS, OR THE INCOME DERIVED FROM THE FUNDS, PLACED AT THE DISPOSAL OF THE UNIVERSITY IN THE FORM OF UNCLASSIFIED

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VOLUNTARY CONTRIBUTIONS FROM MEMBER STATES;
(C) THAT THE ESTABLISHMENTS FORMING PART OF THE UNIVERSITY BE SET UP GRADUALLY AND PROGRESSIVELY, SUBJECT TO OBSERVANCES OF THE STRICTEST SCIENTIFIC PRINCIPLES AND TO AVAILABILITY OF AMPLY SUFFICIENT RESOURCES;
(D) THAT UNESCO BE ABLE TO PLAY A DECISIVE PART, CONSONANT WITH ITS AT EVERY STAGE OF THE PREPARATORY WORK AND THAT IT PARTICIPATE TO THE FULL IN ANY PROVISIONAL BODIES WHICH MAY POSSIBLY BE SET UP;

9. INVITES THE DIRECTOR GENERAL TO TRANSMIT THIS DECISION WITH ITS ANNEX TO THE UNITED NATIONS IN TIME FOR ITS CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS TWENTYEIGHT SESSION, AND HOPES THAT, WHEN CONSIDERING THE DRAFT CHARTER, THE GENERAL ASSEMBLY WILL GIVE DUE CONSIDERATION TO THE OBSERVATIONS SET OUT IN THIS DECISION AND IN THE ANNEX.

ANNEX - MAJOR CHANGES

ARTICLE I

SINCE IT IS DESIRABLE THAT THE PRINCIPLES GOVERNING THE UNIVERSITY'S MODE OF ACTION AND STRUCTURE SHOULD BE INDICATED IN THE FIRST ARTICLE OF THE CHARTER, IT WOULD BE

WELL TO AMEND THE HEADING OF THE ARTICLE TO READ
"PURPOSES AND STRUCTURES."

PARAGRAPH I

IN ACCORDANCE WITH THE ABOVE CONSIDERATION, THIS PARAGRAPH
MIGHT BE WORDED AS FOLLOWS:

THE UNITED NATIONS UNIVERSITY SHALL BE AN INTERNATIONAL
COMMUNITY OF SCHOLARS, ENGAGED IN RESEARCH, POST-GRADUATE TRAINING
AND DISSEMINATION OF KNOWLEDGE IN FURTHERANCE OF THE PURPOSES
AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS. IN ACHIEVING
ITS STATED OBJECTIVES, IT SHALL FUNCTION UNDER THE JOINT SPONSORSHIP
OF THE UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL,
.../...IRWIN

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NESCO

SCIENTIFIC AND CULTURAL ORGANIZATION (HEREINAFTER REFERRED TO
AS "UNESCO), THROUGH A CENTRAL PROGRAMMING AND COORDINATING BODY
AND A NETWORK OF RESEARCH AND POST-GRADUATE TRAINING CENTERS AND
PROGRAMS LOCATED IN THE DEVELOPED AND DEVELOPING
COUNTRIES.

--PARAGRAPH 2--

THIS PARAGRAPH REFERS TO THE UNIVERSITY STAFF; IT WOULD THEREFORE
BE ADVISABLE TO DELETE IT FROM THIS ARTICLE AND MAKE A CORRESPONDING
ADDITION TO THE ARTICLE DEALING WITH QUESTIONS OF PERSONNEL.

--PARAGRAPH 3 (NEW PARAGRAPH 2)--

BY VIRTUE OF THE PRINCIPLE SET FORTH IN PARAGRAPH 8(A)
OF THE DECISION, IT WOULD BE DESIRABLE TO INSERT THE WORDS "AND THE
HUMANITIES AS WELL AS" AFTER THE WORDS".... SOCIAL SCIENCES".

--PARAGRAPH 3 (NEW)--

BY VIRTUE OF THE PRINCIPLE SET FORTH IN PARAGRAPH 8(A) OF THE

DECISION, IT WOULD BE DESIRABLE TO INSERT THE FOLLOWING TEXT AFTER
THE ORIGINAL PARAGRAPH 3:

--THE RESEARCH PROGRAMMES OF THE UNIVERSITY ESTABLISHMENTS SHALL
INCLUDE, AMONG OTHER SUBJECTS, COEXISTENCE BETWEEN PEOPLES HAVING
DIFFERENT CULTURES, LANGUAGES AND SOCIAL SYSTEMS;
PEACEFUL RELATIONS BETWEEN STATES AND THE MAINTENANCE OF PEACE AND
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SECURITY; HUMAN RIGHTS; ECONOMIC AND SOCIAL CHANGE AND DEVELOPMENT;
THE ENVIRONMENT AND THE PROPER USE OF RESOURCES;
BASIC SCIENTIFIC RESEARCH AND THE APPLICATION OF THE RESULTS OF
SCIENCE AND TECHNOLOGY IN THE INTERESTS OF DEVELOPMENT;
UNIVERSAL HUMAN VALUES RELATED TO THE IMPROVEMENT OF THE QUALITY OF
LIFE"--

--PARAGRAPH 4--

BY VIRTUE OF THE PRINCIPLE SET OUT IN PARAGRAPH 6(C) OF THE DECISION,
IT WOULD BE DESIRABLE TO ADD THE FOLLOWING WORDS AT THE END OF THE
PARAGRAPH:

"IN ACCORDANCE WITH THE PROVISIONS OF THE UNITED NATIONS CHARTER AND
THE CONSTITUTION OF UNESCO AND WITH THE FUNDAMENTAL PRINCIPLES OF
CONTEMPORARY INTERNATIONAL LAW".

--PARAGRAPH 5--

IN ACCORDANCE WITH THE PRINCIPLES SET OUT IN PARAGRAPH 6(D-E) OF
THE DECISION, IT WOULD BE WELL FOR THE TEXT OF THE DRAFT CHARTER
TO BE AMENDED AS FOLLOWS:

"THE UNIVERSITY SHALL HAVE AS A CENTRAL OBJECTIVE OF ITS RESEARCH
AND TRAINING CENTRES AND PROGRAMMES THE CONTINUING GROWTH OF
VIGOROUS ACADEMIC AND SCIENTIFIC COMMUNITIES --EVERY WHERE-- AND
--PARTICULARLY-- IN THE DEVELOPING COUNTRIES,
DEVOTED TO THEIR VITAL NEEDS IN THE FIELDS OF LEARNING AND
RESEARCH --WITHIN THE FRAMEWORK OF THE AIMS ASSIGNED TO THOSE
CENTRES AND PROGRAMMES IN THE PRESENT CHARTER.-- IT SHALL ENDEAVOUR
TO ALLEVIATE THE INTELLECTUAL ISOLATION OF --PERSONS IN ACADEMIC
AND SCIENTIFIC COMMUNITIES IN THE DEVELOPING COUNTRIES WHICH MIGHT
OTHERWISE BECOME A REASON FOR THEIR MOVING TO DEVELOPED COUNTRIES."--

ARTICLE II

--PARAGRAPH 1--

SINCE FREEDOM TO CHOOSE THE METHODS OF RESEARCH AND TEACHING
IS AN INTEGRAL PART OF ACADEMIC FREEDOM, AND THE RIGHT TO MAKE
FREE USE OF THE FINANCIAL RESOURCES AT ITS DISPOSAL IS AN
ESSENTIAL PART OF AN INSTITUTION'S AUTONOMY, IT WOULD SEEM DESIRABLE
TO AMEND THE WORDING OF THIS PARAGRAPH AND ALSO TO CHANGE
THE ORDER IN WHICH THE IDEAS ARE SET FORTH SO AS TO BASE THE
STATEMENT ON THE CONCEPT OF AUTONOMY.

--"THE UNIVERSITY SHALL ENJOY AUTONOMY WITHIN THE FRAMEWORK OF THE
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UNITED NATIONS.-- IT SHALL ALSO ENJOY THE ACADEMIC FREEDOM REQUIRED FOR THE ACHIEVEMENT OF ITS OBJECTIVES, WITH PARTICULAR REFERENCE TO THE CHOICE OF SUBJECTS AND METHODS OF RESEARCH AND TRAINING, THE SELECTION OF PERSONS AND INSTITUTIONS TO SHARE IN ITS TALKS, AND FREEDOM OF EXPRESSION. --THE UNIVERSITY SHALL DECIDE FREELY ON THE USE OF THE ECONOMIC AND FINANCIAL RESOURCES ALLOCATED FOR THE EXECUTION OF ITS FUNCTIONS."--

ARTICLE IV

--PARAGRAPH 4--

TO CLARIFY THE LINKS BETWEEN THE COUNCIL AND THE RESEARCH AND TRAINING CENTRES AND PROGRAMMES, AND THE LEGAL STATUS OF THE LATTER, AND WITH A VIEW TO THE APPLICATION OF THE PRINCIPLES SET FORTH IN PARAGRAPH 6(C AND D) OF THE DECISION, IT WOULD BE DESIRABLE TO INCLUDE
E
IN THIS PARAGRAPH A NEW SUB-PARAGRAPH (B) READING AS FOLLOWS:

(B) --"DECIDE UPON THE SETTING UP OR INCORPORATION OF THE RESEARCH AND TRAINING CENTRES AND PROGRAMMES WHICH ARE TO FORM PART OF THE UNIVERSITY IN THE DEVELOPED OR DEVELOPING COUNTRIES, ESTABLISHING STANDARDS FOR THEIR OPERATIONS EITHER ON ITS OWN AUTHORITY, IN CASES WHERE THEY ARE BEING SET UP, OR BY AGREEMENT IN CASES WHERE THEY ARE BEING INCORPORATED.--
FOR MER SUB-PARAGRAPH (B) WOULD THUS BECOME SUB-PARAGRAPH (C) AND SO ON.

--SUB-PARAGRAPH (E) (NEW SUB-PARAGRAPH F)--

AS THE TEXT OF THE CHARTER NECESSARILY CONTAINS ONLY RELATIVELY GENERAL PROVISIONS, IT WOULD SEEM THAT ARRANGEMENTS SHOULD BE MADE FOR APPLYING IT BY MEANS OF STATUTES ADOPTED BY THE COUNCIL. IT WOULD THEREFORE APPEAR TO BE DESIRABLE FOR THE PRESENT SUB-PARAGRAPH TO BE PRECEDED BY THE WORDS: "ADOPT SUCH STATUTES AS MAY BE NECESSARY FOR THE APPLICATION OF THE CHARTER AND....."

--SUB-PARAGRAPH (F) (NEW SUB-PARAGRAPH G)--

AS THE UNIVERSITY IS TO OPERATE UNDER THE JOINT SPONSORSHIP OF THE UNITED NATIONS AND UNESCO, AND AS REPORTS CAN BE COMMUNICATED TO THE ORGANIS OF UNESCO ONLY THROUGH THE DIRECTOR-GENERAL, IT WOULD BE DESIRABLE TO INSERT THE WORDS: "AND THE DIRECTOR-GENERAL OF UNESCO". AS THE EXECUTIVE BOARD IS ITSELF EMPOWERED TO SUGGEST ITEMS TO BE UNCLASSIFIED

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CONSIDERED BY THE GENERAL CONFERENCE, THE WORDS: "AND UNESCO IN THE LAST LINE OF THIS SUB-PARAGRAPH APPEAR TO BE SUPERFLUOUS AND COULD BE DELETED.

--PARAGRAPH 7--

THE WORDS "IN THE ALLOCATION OF ITS AVAILABLE FUNDS" WOULD APPEAR TO BE SUPERFLUOUS AND COULD BE DELETED. FOLLOWING THE PRINCIPLE STATED IN PARAGRAPH 6 (D AND E) OF THE DECISION. IT WOULD BE

DESIRABLE IT INSERT, AFTER THE WORDS "RESEARCH AND TRAINING CENTRES AND PROGRAMMES", THE WORDS "PARTICULARLY THOSE".

ARTICLE V

--PARAGRAPH 3--

AS IT WOULD BE IMPOSSIBLE FOR THE RECTOR EFFECTIVELY TO DIRECT ALL THE PROGRAMMES OF THE UNIVERSITY, IT WOULD BE ADVISABLE TO AMEND THE PARAGRAPH AS FOLLOWS: "DIRECT --WORK RELATED-- TO THE EXECUTION OF THE RESEARCH AND TRAINING PROGRAMMES", ETC.

--SUBJ-PARAGRAPH (F)--

TO STRENGTHEN THE LINKS BETWEEN THE UNIVERSITY AND INTERNATIONAL AND ACADEMIC AUTHORITIES, IT WOULD BE ADVISABLE TO INSERT THE WORDS "AND CONSULTATIONS" AFTER THE WORDS "SERVICES".

--SUB-PARAGRAPH (I)--

AS IT WOULD BE WELL TO ENSURE THAT THE RECTOR'S REPORTS ARE SUBMITTED AT FAIRLY REGULAR INTERVALS, IT WOULD BE DESIRABLE TO INSERT THE WORDS "ACCORDING TO THE RULES OF PROCEDURE" AFTER THE WORDS "AS APPROPRIATE".

ARTICLE VII (NEW)

AS THERE IS NO EXPRESS PROVISION IN THE PRESENT TEXT OF THE CHARTER DEALING WITH THE STATUS OF THE RESEARCH AND TRAINING PROGRAMMES AND CENTRES, IT WOULD BE DESIRABLE TO INSERT A NEW ARTICLE VII WORDED AS FOLLOWS:

--" RESEARCH AND TRAINING CENTRES AND PROGRAMMES--

1. THE UNIVERSITY SHALL INCLUDE A CERTAIN NUMBER OF RESEARCH AND TRAINING CENTRES ESTABLISHED OR TO BE ESTABLISHED IN VARIOUS COUNTRIES.

THEIR CREATION AND THEIR AFFILIATION TO THE UNIVERSITY SHALL BE BY DECISION OF THE COUNCIL --IN ACCORDANCE WITH THE TERMS OF ARTICLE IV, UNCLASSIFIED

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PARAGRAPH 4, SUB-PARAGRAPH (B).--

2. EACH RESEARCH AND TRAINING CENTRE OF PROGRAMME SHALL BE UNDER THE AUTHORITY OF A DIRECTOR. THE DIRECTORS SHALL COOPERATE WITH THE RECTOR, ESPECIALLY AS REGARDS THE CO-ORDINATION OF PROGRAMMES AND RESEARCH. IRWIN

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